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PURSUANT TO ORDER FILED NOVEMBER 19, 2003

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

OCT 25 2006 Ag
at 10 o'clock and 30 min. M
SUE BEITIA, CLERK

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OCT 23 2006

CLERK, U. S. DISTRICT COURT
DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

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|------------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA, |) | CIVIL NO. 03-00631 DAE LEK |
| ex rel. MARIA VALLADARES |) | |
| KADZIELAWA, |) | ORDER GRANTING THE |
| |) | GOVERNMENT'S NOTICE OF |
| Relator/Plaintiff, |) | ELECTION TO INTERVENE IN PART |
| |) | AND TO DECLINE TO INTERVENE IN |
| vs. |) | PART |
| |) | |
| KAISER FOUNDATION HOSPITALS |) | |
| and KAISER FOUNDATION HEALTH |) | |
| PLAN, INC., |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |

SEALED
BY ORDER OF THE COURT

ORDER GRANTING THE GOVERNMENT'S NOTICE OF ELECTION TO
INTERVENE IN PART AND TO DECLINE TO INTERVENE IN PART

The United States having intervened in part of this action and having declined to intervene in part of this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the Court rules as follows:

IT IS HEREBY ORDERED that:

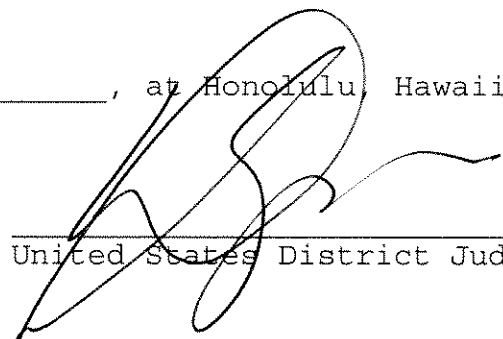
1. The relator's Complaint, the Government's Notice of Election to Intervene in Part and to Decline to Intervene in Part, and this Order be unsealed;
2. The United States shall serve its Complaint upon defendants, together with this Order, within 45 days;
3. The relator shall serve its Complaint upon defendants within 45 days;
4. All other papers or Orders on file in this matter shall remain under seal;
5. The seal shall be lifted on all other matters occurring in this action after the date of this Order;
6. As to the part of the action in which the United States has declined to intervene, the parties shall serve all pleadings and motions filed in that part of the action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in that part of the action, for good cause, at any time;

7. All orders of this Court shall be sent to the United States; and that

8. Should the relator or the defendants propose that the part of the action in which the United States has declined to intervene be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.

IT IS SO ORDERED.

DATED: OCT 25 2006, at Honolulu, Hawaii.


United States District Judge

USA, ex rel. Kadzielawa v. Kaiser, et al.; Civil 03-00631 DAE
LEK; "ORDER GRANTING UNITED STATES' NOTICE OF ELECTION TO
INTERVENE IN PART AND TO DECLINE TO INTERVENE IN PART"